

1 GOLDBERG, STINNETT, DAVIS & LINCHEY  
A Professional Corporation  
2 DANIEL M. LINCHEY, ESQ. CA Bar #111739  
KATHERINE D. RAY, ESQ. CA Bar #121002  
3 44 Montgomery Street, Suite 2900  
San Francisco, CA 94104  
4 Telephone: (415) 362-5045  
Facsimile: (415) 362-2392

5  
6 Attorneys for E. Lynn Schoenmann, Trustee of the  
Chapter 7 Estate of Alliance Financial Capital, Inc.

7  
8 IN THE UNITED STATES BANKRUPTCY COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 In re  
12 ALLIANCE FINANCIAL CAPITAL, INC.,  
13 Debtor.

Case No. 08-30575-TEC

Chapter 7

Date: February 20, 2009  
Time: 9:30 a.m.  
Place: Courtroom No. 23  
231 Pine Street, 23<sup>rd</sup> Floor  
San Francisco, CA  
Judge: Hon. Thomas E. Carlson

14  
15  
16  
17  
18 **MOTION FOR ORDER AUTHORIZING TRUSTEE TO SURCHARGE  
CASH COLLATERAL TO PAY ADMINISTRATIVE EXPENSES**

19  
20 **TO: THE HONORABLE THOMAS E. CARLSTON, UNITED STATES BANKRUPTCY  
JUDGE, AT SAN FRANCISCO, CALIFORNIA:**

21  
22 COMES NOW, E. Lynn Schoenmann ("Trustee"), the duly appointed and acting trustee of  
23 the chapter 7 bankruptcy estate (the "Estate") of Alliance Financial Capital, Inc., the debtor herein  
24 ("AFC" or the "Debtor"), and hereby moves, pursuant to Section 506(c) of the Bankruptcy Code, for  
25 an order authorizing the Trustee to surcharge collateral of Alliance Financial Capital Holdings, Inc.  
26 ("Holdings"), secured creditor of AFC, by the amount of \$75,000.00, in order to pay allowed  
27 administrative expenses incurred by the Trustee and her professionals to preserve Holdings'  
28 collateral.

1 The motion is made on the grounds that the administrative expenses incurred by the Estate,  
2 consisting of the fees and expenses of the Trustee and her professionals, to the extent allowed, are  
3 reasonable and necessary and provided a substantial benefit to Holdings.

4 This motion is supported by the Notice of Hearing, supporting Memorandum of Points and  
5 Authorities and supporting declarations of Katherine D. Ray, all filed concurrently with this motion.

6 DATED: January 21, 2009

GOLDBERG, STINNETT, DAVIS & LINCHEY  
A Professional Corporation

8 By: /s/ Katherine D. Ray  
9 Attorneys for E. Lynn Schoenmann, Trustee of the  
10 Chapter 7 Estate of Alliance Financial Capital, Inc.

LAW OFFICES  
GOLDBERG, STINNETT, DAVIS & LINCHEY  
A PROFESSIONAL CORPORATION  
44 MONTGOMERY STREET, SUITE 2900  
SAN FRANCISCO, CALIFORNIA 94104